

CONFIDENTIAL

KANSAS CORPORATION COMMISSION OIL & GAS CONSERVATION DIVISION

Form ACO-4
Form must be typed
September 2005

APPLICATION FOR COMMINGLING OF PRODUCTION (K.A.R. 82-3-123) OR FLUIDS (K.A.R. 82-3-123a)

Commingling ID # CO 070606

Operator Information:

License #: 33476
Name: FIML Natural Resources, LLC
Address: 410 17th Street, Suite 900
City/State/Zip: Denver, CO 80202
Contact Person: Phyllis Sobotik
Phone #: 303-899-5608

Well Information:

API #: 15 - 163-23521 -00-00
Lease Name: Rostocil Well #: 16D-17-818
Spot: SE - SE - SE Sec. 17 Twp. 8 S. R. 18 East
County: Rooks West
Feet from North / South Line of Section: 330
Feet from East / West Line of Section: 330

1. Name and upper and lower limit of each production interval to be commingled:

Formation: Arbuckle (Perfs): 3435'-3438'
Formation: Lansing/Kansas City (Perfs): 3340'-3343'
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____

2. Estimated amount of fluid production to be commingled from each interval:

Formation: Arbuckle BOPD: 6.4 MCFPD: 0 BWPD: 15.5
Formation: Lansing/Kansas City BOPD: 9.6 MCFPD: 0 BWPD: 23.5
Formation: _____ BOPD: _____ MCFPD: _____ BWPD: _____
Formation: _____ BOPD: _____ MCFPD: _____ BWPD: _____
Formation: _____ BOPD: _____ MCFPD: _____ BWPD: _____

3. Plat map showing the location of the subject well, all other wells on the subject lease, and all wells on offsetting leases within a 1/2 mile radius of the subject well, and for each well the names and addresses of the lessee of record or operator.

4. Signed certificate showing service of the application as required in K.A.R. 82-3-135a(b).

For Commingling of PRODUCTION ONLY, include the following:

- 5. Wireline log of subject well.
- 6. Complete Form ACO-1 (Well Completion form) for the subject well.

For Commingling of FLUIDS ONLY, include the following:

- _____ 5. Well construction diagram of subject well.
- _____ 6. Any available water chemistry data demonstrating the compatibility of the fluids to be commingled.

State of Colorado)
)
County of Denver)

ss:

VERIFICATION: I hereby certify that to the best of my current information, knowledge and personal belief, this request for commingling is true and proper and I have no information or knowledge, which is inconsistent with the information supplied in this application.

Signature: Phyllis Sobotik
Printed Name: Phyllis Sobotik
Title: Operations Regulatory Manager
Subscribed & sworn to before me this 27th day of July, 20 06
Notary Public: Elaine M... ..
My Commission Expires: 5-5-2009

KCC Office Use Only
 Denied Approved
KCC Date Received: 7-31-06 15-Day Periods Ends: 10-20-06
Approved By: [Signature] Date: 10/20/06

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JUL 31 2006
KCC WICHITA

Offset Operators/Lessee of Record and Unleased Mineral Owners Within a ½ Mile Radius of the Rostocil 16D-17-818

The undersigned hereby certifies that she/he is a duly authorized agent for the applicant and that the statement made below is true and correct to the best of her/his knowledge and belief.

FIML Natural Resources, LLC is the operator/lessee of record of all acreage within a ½ mile radius of the Rostocil 16D-17-818. No offset operators/lessee of record or unleased mineral owners are to be notified.

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JUL 31 2006

KCC WICHITA

Phyllis Sobotik Phyllis Sobotik Operations Regulatory Mgr.
Applicant or Duly Authorized Agent

Subscribed and sworn before me this 27th day of July, 2006

Elaine Winick
Notary Public

My commission expires: 5/5/2009

AFFIDAVIT

STATE OF KANSAS \
- SS.
County of Sedgwick /

Milt Mounts, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle for

1 consecutive issues - weeks, that the first publication of said notice was made as aforesaid on the 5TH day, of October A.D. 2006, with subsequent publications being made on the following dates:

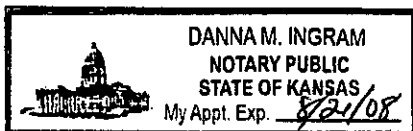
And affiant further says that _____ he has personal knowledge of the statements above set forth and that they are true.

[Handwritten Signature]

Subscribed and sworn to before me this

5th day of October, 2006

[Handwritten Signature: Danna M. Ingram]
Notary Public Sedgwick County, Kansas



230 Legal Notices
NEWSPAPER NOTICE
BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS NOTICE OF FILING APPLICATION
Re: FIML Natural Resources, L.L.C.-Application for a permit to authorize the commingling of production in the Rostocil #16D-17-818 well, located in Rooks County, Kansas.
To: All Oil and Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons whosoever concerned.
You, and each of you, are hereby notified that FIML Natural Resources, L.L.C. has filed an application to commingle production from the Arbuckte and Lansing/Kansas City formations in the Rostocil #16D-17-818 well located in the SESESE, Section 17, T8S, R18W, Rooks County, Kansas.
Any persons who object to or protest this application shall be required to file their objections or protests with the Conservation Division of the State Corporation Commission of the State of Kansas within fifteen (15) days from the date of this publication. These protests shall be filed pursuant to Commission regulations and must state specific reasons why the grant of the application may cause waste, violate correlative rights or pollute the natural resources of the state of Kansas.
All persons interested or concerned shall take notice of the foregoing and shall govern themselves accordingly.
FIML Natural Resources, L.L.C.
410 17th Street, Suite 900
Denver, CO 80202
Phone: 303-899-5608

RECEIVED
OCT 19 2006
KCC WICHITA

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, ROOKS COUNTY: ss:

ROBERT L. HAMILTON, being first duly sworn, deposes and says: That he is the publisher of the STOCKTON SENTINEL, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Rooks County, Kansas, with a general paid circulation on a weekly basis in Rooks County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; and has been admitted at the post office of Stockton, Kansas, in said County as second class matter.

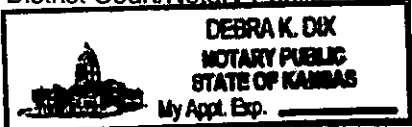
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper one consecutive week(s), the first publication thereof being made as aforesaid on the 5th day of October, 2006, with subsequent publication being made on the following dates:

_____, 20____, _____, 20____
_____, 20____, _____, 20____
_____, 20____, _____, 20____

Robert L. Hamilton

Subscribed and sworn to before me this 6th day of October, 2006

Debra K. Dix
Clerk of the District Court/Notary Public



My Commission Expires: 11-5-09

Printer's Fees: \$ 24.⁸²

Additional Copies: \$ _____

**PUBLIC NOTICE
BEFORE THE STATE
CORPORATION
COMMISSION OF THE STATE OF
KANSAS**

NOTICE OF FILING APPLICATION

Re: FIML Natural Resources, LLC.-
Application for a permit to authorize the commingling of production in the Rostocil #16D-17-818 well, located in Rooks County, Kansas.

To: All Oil and Gas Producers, Un-
leased Mineral Interest Owners,
Landowners, and
All persons whosever concerned.

You, and each of you, are hereby notified that FIML Natural Resources, LLC. has filed an application to commingle production from the Arbuckle and Lansing/Kansas City formations in the Rostocil #16D-17-818 well located in the SESESE, Section 17, T8S, R18W, Rooks County, Kansas.

Any persons who object to or protest this application shall be required to file their objections or protests with the Conservation Division of the State Corporation Commission of the State of Kansas within fifteen (15) days from the date of this publication. These protests shall be filed pursuant to Commission regulations and must state specific reasons why the grant of the application may cause waste, violate correlative rights or pollute the natural resources of the state of Kansas.

All persons interested or concerned shall take notice of the foregoing and shall govern themselves accordingly.

FIML Natural Resources, LLC.
410 17th Street, Suite 900
Denver, CO 80202
Phone: 303-899-5608

(First Published in the Stockton Sentinel October 5, 2006 -1)

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<CC WICHITA

KANSAS

CORPORATION COMMISSION

KATHLEEN SEBELIUS, GOVERNOR

BRIAN J. MOLINE, CHAIR

ROBERT E. KREHBIEL, COMMISSIONER

MICHAEL C. MOFFET, COMMISSIONER

Dear Operator,

Your ACO-4 Application for Commingling is being returned to you with any attachments for the following reason (see checked items):

- Re-file on current ACO-4 form (September 2005).** See enclosed, or can be found at <http://www.kcc.state.ks.us/conservation/forms>.
- ACO-4 Item 1 Missing)** Name of upper and lower limit of each production interval to be commingled.
- ACO-4 Item 2 Missing)** Estimated Amount of fluid production to be commingled from each interval.
- ACO-4 Item 3 Missing)** Plat map.
- ACO-4 Item 4 Missing)** Signed certificate showing service of the application to the offset leased and unleased mineral owners within ½ radius mile of the well pursuant to K.A.R. 82-3-135 a (b).
- ACO-4 Item 4 Missing)** Signed certificate of publication of the application in the official county newspaper and the Wichita Eagle newspaper pursuant to K.A.R. 82-3-135 a (d).
- ACO-4 Item 5 Missing)** Wireline log of the subject well,
- ACO-4 Item 6 Missing)** Complete ACO-1 (Well completion form) for the subject well.

Please return the form and attachments for processing.

Thank you.

KCC Production Department

M:\PROD\Production_Shared\OUTINFO FORMS\Commingling.doc

July 27, 2006



410 17th Street, Suite 900
Denver, CO 80202
Phone: (303) 893-5073
Fax: (303) 573-0386

Kansas Corporation Commission
Oil & Gas Conservation Division
130 S. Market, Room 2078
Wichita, KS 67202-3802

RE: Rostocil #16D-17-818
SESE Sec 17 T8S R18W
API # 15-163-23521
Rooks County, KS

Ladies and Gentlemen:

Enclosed is an original and two copies of the following information concerning the referenced well.

Form ACO-4 (Application for Commingling of Production or Fluids)
One-Half Mile Radius Map
Signed Certificate
Log Section
Copy of Form ACO-1

The original Form ACO-1 and attachments were submitted to the KCC on July 27, 2006.

FIML Natural Resources, LLC is requesting that all information be held confidential for a period of twelve (12) months.

If you have any questions or need further information, please contact me at 303-899-5608.

Sincerely

A handwritten signature in black ink that reads "Phyllis Sobotik". The signature is written in a cursive style.

Phyllis Sobotik
Operations Regulatory Manager

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KCC WICHITA

Enclosures:

CO 070606



October 17, 2006

Kansas Corporation Commission
Oil & Gas Conservation Division
130 S. Market, Room 2078
Wichita, KS 67202-3802

410 17th Street, Suite 900
Denver, CO 80202
Phone: (303) 893-5073
Fax: (303) 573-0386

RE: Rostocil #16D-17-818
SESE Sec 17 T8S R18W
API # 15-163-23521
Rooks County, KS

Ladies and Gentlemen:

Enclosed is an original and two copies of the following information concerning the referenced well.

Signed Certificates of Publication of Form ACO-4
(Wichita Eagle and Stockton Sentinel)
Copy of Form ACO-4 (Application for Commingling of Production or Fluids)

The original Form ACO-4 and attachments were submitted to the KCC on July 27, 2006.

FIML Natural Resources, LLC is requesting that all information be held confidential for a period of twelve (12) months.

If you have any questions or need further information, please contact me at 303-899-5608.

Sincerely

A handwritten signature in black ink that reads "Phyllis Sobotik". The signature is written in a cursive, flowing style.

Phyllis Sobotik
Operations Regulatory Manager

Enclosures:

RECEIVED
OCT 19 2006
KCC WICHITA

KANSAS

CORPORATION COMMISSION

KATHLEEN SEBELIUS, GOVERNOR
BRIAN J. MOLINE, CHAIR
ROBERT E. KREHBIEL, COMMISSIONER
MICHAEL C. MOFFET, COMMISSIONER

October 26, 2006

Phyllis Sobotik
FIML Natural Resources, LLC
410 17th Street, Suite 900
Denver, CO 80202

**RE: Approved Commingling CO070606
Rostocil 16D-17-818, Sec. 17-T8S-R18W, Rooks County, Kansas
API No. 15-163-23521-0000**

Dear Ms. Sobotik:

Your "Application for Commingling" (ACO-4) for the above described well has been technically reviewed and approved by the Kansas Corporation Commission (KCC) per **K.A.R. 82-3-123a**. Notice was examined and found to be proper per **K.A.R. 82-3-135a**. No protest had been filed within the 15-day protest period.

This application, which was received by the KCC on **July 31, 2006** concerns approval to simultaneously produce from the following **two** sources of supply through the same tubing string in the same wellbore: the **Arbuckle** and the **Lansing/Kansas City** formations.

According to your application, the estimated current production from the **Arbuckle** source of supply is **6.4 BOPD, 0 Mcfpd and 15.5 BOPD**. The estimated current production from the **Lansing/Kansas City** source of supply is **9.6 BOPD, 0 Mcfpd and 23.5 BOPD**. The total estimated current production from all sources of supply in the subject well is **16 BOPD, 0 Mcfpd and 39 BOPD**.

Based upon the depth of the **Arbuckle** formation perforations, total oil production shall not exceed **100BOPD** and total gas production shall not exceed **50%** of the absolute open flow (AOF).

Docket Number **CO070606** has been assigned to this approved application. Please use this number for well completion reports (ACO-1) and other correspondence that may concern this approved commingling.

Sincerely,



Rick Hestermann
Professional Geologist